

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

B.P.J., by her next friend and mother, HEATHER JACKSON,

Plaintiff,

v.

WEST VIRGINIA STATE BOARD OF EDUCATION, HARRISON COUNTY BOARD OF EDUCATION, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION, W. CLAYTON BURCH in his official capacity as state superintendent, and DORA STUTLER in her official capacity as Harrison County Superintendent,

Defendants.

Civil Action No. 2:21-cv-00316

Hon. Joseph R. Goodwin, District Judge

**PLAINTIFF'S PROOF OF SERVICE OF COMPLAINT AND INITIAL PLEADINGS
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE FRCP 5.1(b)**

On May 28, 2021, undersigned counsel sent via email to the Solicitor General of the Office of the West Virginia Attorney General, a copy of all initial pleadings in this case pursuant to Federal Rule of Civil Procedure 5.1(b).¹

The summons was e-mailed by undersigned to:

Lindsay See, Esq.

Solicitor General, Office of the West Virginia Attorney General

Lindsay.S.See@wvago.gov

/s/ Loree Stark
West Virginia Bar No. 12936

¹ At the same time, counsel inquired as to whether the Attorney General's office would serve as counsel in this case. West Virginia Code Section 5-3-2 provides that the Attorney General "shall appear as counsel . . . and defend all actions and proceedings against any state officer in his official capacity in any of the courts of this state or of any federal courts..." Pursuant to the same section, the Attorney General's office may contract with private attorneys to provide such services for the state.

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CERTIFICATE OF SERVICE

I, Loree Stark, do hereby certify that on this 15th day of June 2021, I electronically filed a true and exact copy of *Plaintiff's Proof of Service of Complaint and Initial Proceedings Pursuant to Federal Rule of Civil Procedure 5.1(b)* with the Clerk of Court and all parties using the CM/ECF System.

/s/ Loree Stark

West Virginia Bar No. 12936